

REMARKS

Claims 13-15 have been rejected under 35 U.S.C. § 112. Claims 13 and 14 have been amended in a manner believed to obviate this rejection, and claim 15 has been canceled. The cancellation of claim 15 also renders the objection to the drawings moot.

Original independent claim 1, and various of its original dependent claims, were rejected under 35 U.S.C. § 102 as allegedly anticipated by nine different references. Claim 1 has been amended to incorporate features found in some of the dependent claims and to recite additional features as well, these features not being found in the art. A new claim 16 has been added to include these features as well.

Specifically, claims 1 and 16 recite, *inter alia*, a blender blade having wings with a sharp beveled leading edge, a flap extending downwardly from the trailing edge of each wing, and a wing tip extending upwardly at an obtuse angle from near the end of each wing. It is the position of the Applicants that no prior art reference anticipates these features, as now to be discussed.

Bohannon, Jr. et al. U.S. Patent No. Des. 433,828 does not have a sharp beveled leading edge and does not have flaps extending downwardly from the trailing edge.

Sampson U.S. Patent No. 5,425,579 does not teach blade wings having a sharp beveled leading edge. Moreover, portions 80 extend upwardly from the leading edge and the entire trailing edge is bent downwardly at 82. As such, Sampson has no wing tips extending upwardly from the end of the blade and has no flaps extending downwardly from a portion of the trailing edge of the blade wings.

Linscott U.S. Patent No. 5,599,103 has none of these features. It does not disclose a sharp leading edge, flaps extending downwardly from the trailing edge, or wing tips extending upwardly from the ends of the wings.

In Morris U.S. Patent No. 2,576,802, the Examiner has identified 21 and 31 as the leading edges, and Morris discloses items 22 and 32 as the trailing edges (Col. 2, line 25). However, these trailing edges are not provided

with downwardly directed flaps, and there are no wing tips. Rather, the entire wing 20 is bent upwardly, and the entire wing 30 is bent downwardly.

Corcoran U.S. Patent No. 2,788,038 discloses a blade with "straight" leading edges (Col. 2, line 17) on its arms 16. There are no flaps whatsoever on these arms, and there are no wing tips which extend upwardly from the end of the arms. What the Examiner identifies as a wing is really central section 12 which, at best, is equivalent to the claimed body portion of the Applicants.

The Examiner has identified hub 33 of Jepson et al. U.S. Patent No. 3,175,594 as the claimed wings. However, hub 33 is just that — a hub. It has no sharp leading edge. What the Examiner identifies as flaps (29, 31) at most could be considered the claimed wings. But these wings do not have any downwardly directed flaps on the trailing edge.

Lee U.S. Patent No. 6,834,818 has no sharp leading edges, has no downwardly directed flap on the trailing edges, and does not have any wing tips extending upwardly from the ends of the wings.

The same is true of Williams et al. U.S. Publication No. 2002/0139884. The Examiner identifies element 20 as a wing, but it is really the hub, and it has no cutting edge. The blades (25) of Williams et al. (which could be considered "wings") are disclosed as having sharp edges (26), but the trailing edges (27) do not have any flaps. Nor are there any tips extending upwardly from the ends of the wings.

Finally, Stiffler U.S. Patent No. 3,147,958 also lacks the necessary teachings to anticipate claims 1 or 16. Stiffler has no sharp leading edge on any blade wing, and those items identified by the Examiner as flaps (28, 44) are not on the trailing edge of any wing. Moreover, the tips (21) identified by the Examiner do not extend upwardly at an obtuse angle from the ends of any blade wings.

It is thus the position of the Applicants that claims 1 and 16, and the claims dependent therefrom, are not anticipated by any of the references cited against the original claims, and reconsideration by the Examiner is requested.

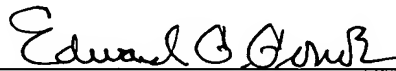
In addition, none of the references teach the simultaneous control of the axial and radial flow by providing a wing flap that is angled to define a flap angle to control axial flow and canted to define a canted angle to control radial flow. A new claim 17 has been provided to claim these unique features not found in or suggested by the art.

It is believed that no new fees are required for this amendment in that there are three independent claims and a total of thirteen pending claims. However, if a fee is required, the Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 18-0987.

In view of the foregoing, it is believed that claims 1, 5, 9-11, 13, 14 and 16-21 are in condition for allowance, and the issuance of a formal Notice of Allowance is earnestly solicited.

If any further issues remain after this amendment, a telephone call to the undersigned would be appreciated.

Respectfully submitted,



Edward G. Greive, Reg. No. 24,726
Renner, Kenner, Greive, Bobak, Taylor & Weber
Fourth Floor, First National Tower
Akron, Ohio 44308-1456
Telephone: (330) 376-1242

Attorney for Applicants

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